

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

M. H.,

Applicant/Petitioner,

v.

INDIANA DEPARTMENT OF CHILD SERVICES,

Respondent.

APPLICATION TO THE HON. BRETT M. KAVANAUGH
FOR A FURTHER EXTENSION OF TIME WITHIN
WHICH TO FILE A PETITION FOR A WRIT OF
CERTIORARI TO THE INDIANA SUPREME COURT

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February 19, 2020

APPLICATION FOR A FURTHER EXTENSION OF TIME

Pursuant to Supreme Court Rule 13.5, counsel for Applicant hereby requests an additional 29-day extension of time within which to file a petition for a writ of certiorari up to and including Tuesday, March 31, 2020. Unless a further extension is granted, the deadline for filing the petition for certiorari will be March 2, 2020.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *In Re: The Termination of the Parent-Child Relationship of (7) Minor Children: M. H. v. Indiana Department of Child Services*, Case No. 19S-JT-323. The Indiana Supreme Court vacated the Indiana's Court of Appeals decision (which had reversed the decision of the trial court, finding violation of 5th Amendment/Due Process) and affirmed the trial court's original findings and conclusions (which ultimately terminated father's parental rights as to his 7 biological minor children when he would not admit to any sexual wrong-doing with 17-year-old step-daughter as required for reunification).

JURISDICTION

The Indiana Supreme Court rendered its decision on October 31, 2019. This Court has jurisdiction in this case pursuant to 28 U.S.C. § 1257(a). Under SUP. CT. R. 13.1, 13.3, and 30.1, a petition for a writ of certiorari is presently due to be filed on or before March 2, 2020. Petitioner previously filed his Application for Extension of Time to File Petition for Writ of Certiorari on January 13, 2020,

which was subsequently granted by the Honorable Brett V. Kavanaugh on January 14, 2020. In accordance with SUP. CT. R 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING A FURTHER EXTENSION OF TIME

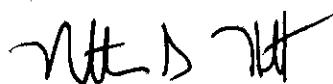
Applicant respectfully requests a further 29-day extension of time to file a petition for a writ of certiorari seeking review of the decision of the Indiana Supreme Court of the State of Indiana in this case, up to and including March 31, 2020 for the following:

1. On February 3, 2020, Honorable Judge Kenton W. Kiracofe of the Wells Circuit Court contacted Counsel for the Petitioner/Applicant and requested to meet with Counsel regarding his invoice for legal services submitted thus far.
2. On February 14, 2020, Counsel for the Petitioner/Applicant met with the Honorable Judge Kenton W. Kiracofe.
3. Honorable Judge Kenton W. Kiracofe instructed Counsel for the Petitioner/Applicant to put his research and drafting of the Petition for Writ of Certiorari “on hold” until Judge Kiracofe could research what obligation Wells County had in funding the Petitioner/Applicant’s Petition for Writ of Certiorari.
4. Counsel for Petitioner/Applicant informed the Honorable Judge Kiracofe of the Petition for Writ of Certiorari’s filing due date of March 2, 2020.

CONCLUSION

For the foregoing reasons, counsel for Applicant respectfully requests that this Court grant a further extension of 29 days, up to and including March 31, 2020, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,



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CERTIFICATE OF SERVICE

Pursuant to this Court's Rule 29.5(b), I certify that I have been appointed to represent Martin Hilty on appeal. I further certify that on February 19, 2020, at the time of express delivery to this Court, I served the foregoing Application, pursuant to Rules 29.3 and 29.4(a), on counsel for the respondent, by email (if applicable), and by depositing a copy of the same, first class postage prepaid, in the United States mail, addressed to:

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As a result, I state pursuant to Rule 29.5 that all parties required to be served have been served.


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